

Morgan Lewis

Eric W. Sitarchuk

Partner
+1.215.963.5840
eric.sitarchuk@morganlewis.com

July 30, 2018

VIA ECF

Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: *United States ex rel. Borzilleri v. Abbvie Inc., et al.*, No. 15-cv-7881-JMF
Stipulated Request for Extension of Time to Respond to First Amended Complaint

Dear Judge Furman:

We represent Defendant Express Scripts Holding Company ("Express Scripts") in the above-referenced matter. Relator filed a First Amended Complaint ("FAC") on July 4, 2018, and the initial pretrial conference is scheduled for September 4, 2018.

We write to respectfully request an extension of time for Express Scripts and certain other defendants to move to dismiss or otherwise respond to the FAC, from the current earliest-scheduled date of August 2, 2018 to October 1, 2018. Express Scripts submits this request with the consent of, and on behalf of, the following named defendants in addition to Express Scripts: Abbvie Inc., Aetna, Inc., Amgen Inc., Bristol-Myers Squibb Company, CIGNA Corporation, CVS Health Corporation, Eli Lilly and Company, Sanofi, and Pfizer Inc. (collectively, with Express Scripts, "the Moving Defendants"). Relator consents to this extension of time for the Moving Defendants.

This is the Moving Defendants' first request for an extension. We request the extension to provide sufficient time to prepare an appropriate response in light of the nature of the FAC (929 paragraphs across 193 pages), and to allow defendants time to discuss the possibility of consolidated briefing of certain common issues and/or briefing by groups of defendants, which would avoid burdening the Court with duplicative briefing.

Each of the Moving Defendants expressly preserves any objections as to insufficient service of process of the FAC.

Thank you for the Court's consideration.

Morgan, Lewis & Bockius LLP

1701 Market Street
Philadelphia, PA 19103-2921
United States

+1.215.963.5000
+1.215.963.5001

Honorable Jesse M. Furman
July 30, 2018
Page 2

Respectfully submitted,

/s Eric W. Sitarchuk

EWS/amm

cc: MaryAnn H. Smith (Counsel for Relator) (via ECF and e-mail)
Counsel for Moving Defendants (via e-mail)